



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

PUBLIC NOTICE AMENDMENT REQUEST

Seaboard Boulevard Development Group LLC/Claude Harris, P/N# 2008-01422-3IH

The U.S. Army Corps of Engineers placed the above referenced project on public notice August 22, 2008. OCRM did not place this project on notice at that time because additional information was required by OCRM.

This notice is to clarify that OCRM is placing the above referenced amendment on public notice, September 12, 2008 and that the correct suspense date to submit comments to OCRM is September 27, 2008.

CMS
Written comments will be received on this amendment request until September 27, 2008 at the Myrtle Beach office: 927 Shine Avenue, Myrtle Beach, SC. For information please contact the project manager, Christopher Stout, 843-238-4528.

September 12, 2008

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management

Myrtle Beach Office • 927 Shine Avenue • Myrtle Beach, SC 29577

Phone: 843-238-4528 • Fax: 843-238-4526 • www.scdhec.gov

**JOINT
PUBLIC NOTICE**

CHARLESTON DISTRICT, CORPS OF ENGINEERS

1949 Industrial Park Road, Room 140

Conway, South Carolina 29526

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Office of Environmental Quality Control

Water Quality Certification and Wetlands Programs Section

2600 Bull Street

Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N #2008-01422-3IH

22 AUGUST 2008

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Scaboard Boulevard Development
CLAUDE HARRIS
c/o TOM JOHNSON
CUSTOM DESIGN MARINE CONTRACTING, INC.
4337 BIG BARN DRIVE, SUITE D.
LITTLE RIVER, SOUTH CAROLINA 29566

Group, LLC

for after the fact authorization for a docking structure and to expand the existing docking structure in

MURRELLS INLET CREEK

at a location described as 1734 Dolphin Street, Murrells Inlet, Georgetown County, South Carolina (Latitude 33.54603, Longitude -79.02307)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 22 SEPTEMBER 2008

from those interested in the activity and whose interests may be affected by the proposed work.

The new property owner is seeking authorization for an existing docking structure and to expand the existing fixed pierhead. In detail, the docking structure consists of a 12' x 21' covered fixed pierhead attached to high ground by a 4' x 76' walkway. Attached west of and adjacent to the walkway by a 4' x 6' platform to a 3' x 20' adjusting ramp is a 15' x 30' floating dock. In addition, the applicant proposes to expand the existing 12' x 21' covered fixed pierhead to 21' x 21'. The purpose of the proposed project is for the owner's private, recreational use.

22 AUGUST 2008

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. This activity may also require evaluation for compliance with the S.C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S.C. Department of Health and Environmental Control. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact (0.027) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

22 AUGUST 2008

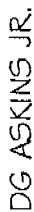
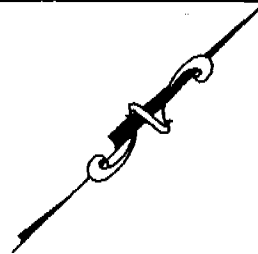
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Rob Huff at 843-365-4239.

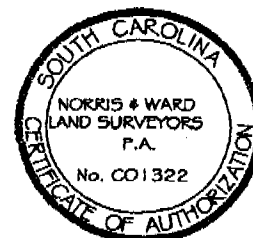
Chris Stout
SCDHEC - OCRM
Project Manager



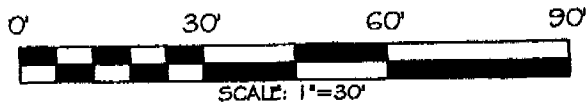
SANDRA W. MOORE

8/27/08

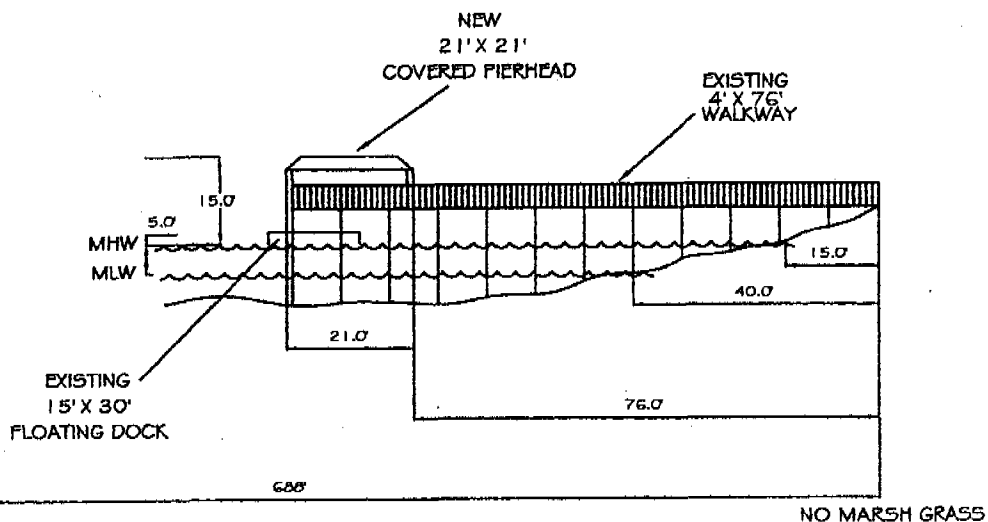
SHEET 2 OF 3



2008-01422-3IH



THE PURPOSE OF THIS MAP IS FOR PIER PERMITTING ONLY AND DOES NOT REPRESENT A BOUNDARY SURVEY BY ME AT THIS TIME.



MARSH GRASS

NO MARSH GRASS



NORRIS & WARD

Land Surveyors, P.A.

Steve M. Norris, P.L.S.
Randy D. Ward, P.L.S.

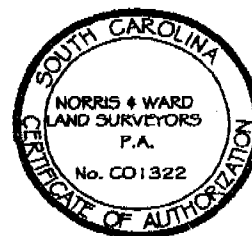
1301 Thomasboro Rd. SW, Calabash, N.C. 28467
Phone: 910-579-5806 Fax: 910-579-5825

(910) 579-3608
SC #
(843) 280-8836
(910) 579-5825
Fax

PROJECT TITLE: ENLARGED COVERED PIERHEAD
PROJECT LOCATION: 1734 DOLPHIN
GARDEN CITY, SC
APPLICANT: SEABOARD BOULEVARD GROUP, LLC
DATE: 05/29/08 SCALE: 1"=30'

SHEET 3 OF 3

[Handwritten signature]
5/29/08



2008-01422-3IH



Vicinity
map

Project Title: ENLARGED COVERED PIERHEAD	Project Location: 1734 DUTHIN ST. GARDEN CITY, SC	Applicant: SEABOARD BOULEVARD GROUP, LLC	Revisions
			Date Initials
Date: 5/16/08	Scale: N/A	Sheet of 3	Application #: 2008-0162-511